No. 106

MICHIGAN HOUSE OF REPRESENTATIVES

DAILY CALENDAR

WEDNESDAY, DECEMBER 7, 2005 1:00 p.m.

MOTIONS AND RESOLUTIONS

- 1

HB 4758 Rep. Kathleen Law

Environmental protection; landfills; solid waste; establish disposal charge.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding secs. 11532a & 11532b.

(Notice of intent to discharge from the Committee on Natural Resources, Great Lakes, Land Use, and Environment given by Rep. Kathleen Law May 17, 2005.)

(Motion to discharge; record roll call ordered; passed for day May 18, 2005.)

_ 2 ____

HB 4759 Rep. Espinoza

Environmental protection; funding; earmarking of surcharge on solid waste entering landfills; provide for.

Amends secs. 11502, 11503, 11504, 11505 & 11506 of 1994 PA 451 (MCL 324.11502 et seq.); adds secs. 11532c, 11532d, 11532e, 11532f, 11532g & 11532h & repeals sec. 11532h of 1994 PA 451 (MCL 324.11532h).

(Notice of intent to discharge from the Committee on Natural Resources, Great Lakes, Land Use, and Environment given by Rep. Espinoza May 17, 2005.)

(Motion to discharge; record roll call ordered; passed for day May 18, 2005.)

- 3 ---

HB 4760 Rep. Kehrl

Environmental protection; landfills; moratorium on landfill new construction and expansion; provide for.

Amends sec. 11511a of 1994 PA 451 (MCL 324.11511a) & repeals sec. 11511a of 1994 PA 451 (MCL 324.11511a) & enacting section 1 of 2004 PA 38.

(Notice of intent to discharge from the Committee on Natural Resources, Great Lakes, Land Use, and Environment given by Rep. Kehrl May 17, 2005.)

(Motion to discharge; record roll call ordered; passed for day May 18, 2005.)

HB 4761 Rep. Miller

Environmental protection; landfills; list of jurisdictions authorized to export waste to Michigan; require updating of and removal of jurisdictions whose waste contains prohibited materials.

Amends sec. 11526b of 1994 PA 451 (MCL 324.11526b).

(Notice of intent to discharge from the Committee on Natural Resources, Great Lakes, Land Use, and Environment given by Rep. Miller May 17, 2005.)

(Motion to discharge; record roll call ordered; passed for day May 18, 2005.)

MOTIONS AND RESOLUTIONS

- 5 —

HB 4762 Rep. McDowell

Environmental protection; solid waste; civil infractions for solid waste violations; establish.

Amends secs. 11546 & 11549 of 1994 PA 451 (MCL 324.11546 & 324.11549).

(Notice of intent to discharge from the Committee on Natural Resources, Great Lakes, Land Use, and Environment given by Rep. McDowell May 17, 2005.)

(Motion to discharge; record roll call ordered; passed for day May $18,\,2005$.)

REPORTS OF STANDING COMMITTEES

6

HR 79 Rep. Anderson

A resolution to memorialize the Congress of the United States and the United States Department of Agriculture (USDA) to provide assistance in the effort to mitigate the infestation of the Emerald Ash Borer.

(Reported by the Committee on Agriculture.)

(For text of resolution, see House Journal No. 48, page 718 or Session Website; laid over 1 day June 8, 2005.)

7

HCR 15 Rep. Stahl

A resolution to memorialize the Congress of the United States and the United States Department of Agriculture (USDA) to provide assistance in the effort to mitigate the infestation of the Emerald Ash Borer.

(Reported by the Committee on Agriculture.)

(House substitute (H-1) offered; postponed temporarily June 14, 2005.)

(For proposed House substitute (H-1), see Session Website.)

(For text of proposed House substitute (H-1), see House Journal No. 54, page 854 or Session Website.)

(For text of resolution, see House Journal No. 46, page 700 or Session Website; laid over 1 day June 8, 2005.)

- 8 —

HR 55 Rep. Moolenaar

A resolution to memorialize the Congress of the United States to enact legislation to extend the production tax credit for wind power energy development.

(Reported by the Committee on Government Operations.)

(For text of resolution, see House Journal No. 32, page 482 or Session Website; laid over 1 day October 25, 2005.)

REPORTS OF STANDING COMMITTEES

9

HR 67 Rep. Gleason

A resolution to memorialize the Congress of the United States to provide incentives for the construction of new petroleum refineries in the United States and to urge the leaders of the petroleum industry to construct new refineries to meet our increasing energy needs.

(Reported by the Committee on Education.)

(For proposed House substitute (H-2), see Session Website.)

(For text of proposed House substitute (H-2), see House Journal No. 98, page 2160 or Session Website.)

(For text of resolution, see House Journal No. 36, page 550 or Session Website; laid over 1 day November 9, 2005.)

MESSAGES FROM THE SENATE

_____ 10 _____

HB 4957 Rep. Taub

Criminal procedure; sentencing guidelines; sentencing guidelines for crime of accepting employment or volunteer status with certain entities in which children are present; enact.

Amends sec. 16t, ch. XVII of 1927 PA 175 (MCL 777.16t).

(Returned from Senate with Senate substitute (S-1) and immediate effect; laid over 1 day August 31, 2005.)

(I.E. House June 29, 2005.)

(For House substitute (H-1), see Session Website.)

(For Senate substitute (S-1), see Session Website.)

SB 130 Sen. Sanborn

Recreation; athletics and sports; disclosure of certain convictions; require of persons coaching independent youth athletic teams.

Creates new act.

(Re-returned from Senate with Senate substitute (S-1) to House substitute (H-2); laid over 1 day September 27, 2005.)

(I.E. House June 29, 2005.)

(For House substitute (H-2), see Session Website.)

(For Senate substitute (S-1), see Session Website.)

____ 12 _____

HB 5100 Rep. Jones

Family law; parental rights; military parental custody rights; clarify.

Amends secs. 2, 5 & 7 of 1970 PA 91 (MCL 722.22 et seq.).

(Returned from Senate with Senate substitute (S-2) and immediate effect; laid over 1 day November 8, 2005.)

(I.E. House October 5, 2005.)

(For House substitute (H-2), see Session Website.)

(For Senate substitute (S-2), see Session Website.)

MESSAGES FROM THE SENATE

HB 5067 Rep. Jones

Liquor; other; alcohol-without-liquid devices; prohibit possession, sale, or use of.

Amends title & sec. 105 of 1998 PA 58 (MCL 436.1105) by adding sec. 914.

(Returned from Senate with Senate substitute (S-1) and immediate effect; laid over 1 day November 30, 2005.)

(I.E. House September 15, 2005.)

(For Senate substitute (S-1), see Session Website.)

— 14 ——

HB 5176 Rep. Acciavatti

Environmental protection; solid waste; foreign municipal solid waste; prohibit disposal of.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 11526e.

(Returned from Senate with Senate substitute (S-2) and immediate effect; laid over 1 day December 1, 2005.)

(I.E. House September 21, 2005.)

(For House substitute (H-1), see Session Website.)

(For Senate substitute (S-2), see Session Website.)

____ 15 _____

HB 4577 Rep. David Law

Human services; fraud; enforcement of medicaid whistleblower protection; provide for.

Amends 1977 PA 72 (MCL 400.601 - 400.613) by adding secs. 10a, 10b & 10c.

(Returned from Senate with Senate substitute (S-1) and immediate effect; laid over 1 day December 6, 2005.)

(I.E. House October 5, 2005.)

(For House substitute (H-2), see Session Website.)

(For Senate substitute (S-1), see Session Website.)

HB 5268 Rep. Meyer

Crimes; other; torture; prohibit and provide penalties. Amends 1931 PA 328 (MCL 750.1 - 750.568) by adding sec. 85.

(Returned from Senate with Senate substitute (S-1) and immediate effect; laid over 1 day December 6, 2005.)

(I.E. House November 1, 2005.)

(For House substitute (H-1), see Session Website.)

(For Senate substitute (S-1), see Session Website.)

THIRD READING

17

HJR C Rep. Moolenaar

Education; other; constitutional amendment to provide for gubernatorial appointment of superintendent of public instruction; provide for.

Amends sec. 3, art. VIII of the state constitution.

(Reported by the Committee on Education.)

(Not adopted; notice of intent to reconsider vote given by Rep. Ward May 3, 2005.)

(Vote reconsidered; passed for day May 4, 2005.)

(For House substitute (H-4), see Session Website.)

THIRD READING

— 18 ——

HB 4636 Rep. Hildenbrand

Trade; consumer goods and services; sale of certain consumer items without item pricing; allow under certain conditions

Amends secs. 1 & 3 of 1976 PA 449 (MCL 445.351 & 445.353) & adds secs. 3a & 3b.

(Reported by the Committee on Commerce.) (For House substitute (H-2), see Session Website.)

— 19 –

HB 4476 Rep. Condino

Single business tax; rate; reduce rate; provide for, create research and development tax credit, revise sales factor apportionment, and provide for other amendments.

Amends 1975 PA 228 (MCl 208.1 - 208.145) by adding ch. 5A & repeals enacting section 1 of 2002 PA 531 & enacting section 3 of 1999 PA 115.

(Discharged from the Committee on Tax Policy.)

— 20 —

HB 4477 Rep. Meisner

Property tax; assessments; calculation of additions and losses; revise.

Amends sec. 34d of 1893 PA 206 (MCL 211.34d).

(Discharged from the Committee on Tax Policy.)

_____ 21 ____

SB 252 Sen. Basham

Townships; other; street address of properties that are up for rezoning; require to be published on public notices.

Amends sec. 14 of 1943 PA 184 (MCL 125.284).

(Reported by the Committee on Local Government and Urban Policy.)

(For Senate substitute (S-1), see Session Website.)

SB 253 Sen. Basham

Counties; other; street address of properties that are up for rezoning; require to be published on public notices.

Amends sec. 9 of 1943 PA 183 (MCL 125.209).

(Reported by the Committee on Local Government and Urban Policy.)

(For Senate substitute (S-1), see Session Website.)

____ 23 _____

SB 254 Sen. Basham

Cities; other; street address of properties that are up for rezoning; require to be published on public notices.

Amends sec. 4 of 1921 PA 207 (MCL 125.584).

(Reported by the Committee on Local Government and Urban Policy.)

(For Senate substitute (S-1), see Session Website.)

— 24 —

HB 5040 Rep. Green

Human services; medical services; annual reporting of difference between medicaid and medicare reimbursement rates; require to report to legislature.

Amends 1939 PA 280 (MCL 400.1 - 400.119b) by adding sec. 109i.

(Reported by the Committee on Family and Children Services.)

(For House substitute (H-2), see Session Website.)

THIRD READING

— 25 ———

SB 785 Sen. Bishop

Children; protection; provision regarding civil actions based on computer crime in children's protection registry act; expand.

Amends secs. 1, 3 & 5 of 2004 PA 241 (MCL 752.1061 et seq.).

(Reported by the Committee on Energy and Technology.)

(Read a third time; postponed temporarily November 9, 2005.)

(For House substitute (H-1), see Session Website.)

(For House amendment, see House Journal No. 98, page 2163 or Session Website.)

(For Senate substitute (S-1), see Session Website.)

— 26 —

HB 4742 Rep. Hune

Insurance; no-fault; managed care option for personal injury protection (PIP) coverage; provide for.

Amends 1956 PA 218 (MCL 500.100 - 500.8302) by adding ch. 21A.

(Reported by the Committee on Insurance.)

(Read a third time; passed for day November 10, 2005.)

(For House substitute (H-3), see Session Website.)

— 27 ———

HB 4947 Rep. Palmer

Retirement; public school employees; contribution for teachers; define.

Amends secs. 4, 8, 25, 26, 34 & 91 of 1980 PA 300 (MCL 38.1304 et seq.) & adds secs. 41b, 109, 110, 111 & 112 & art. 7.

(Reported by the Committee on Education.)

(Passed; vote reconsidered; passed for day December 1, 2005.)

(For House substitute (H-6), see Session Website.)

(For House amendment, see House Journal No. 104, page 2310 or Session Website.)

— 28 ——

HB 4721 Rep. Vander Veen

Criminal procedure; sex offender registration; notification by e-mail to certain individuals when a registered sex offender relocates into a zip code; require.

Amends sec. 10 of 1994 PA 295 (MCL 28.730).

(Reported by the Committee on Judiciary.)

(For House substitute (H-2), see Session Website.)

SECOND READING

- 29 -----

HB 4582 Rep. Hopgood

School aid; fiscal year appropriations; minimum funding level for K-12 education; provide for.

Amends title & sec. 11 of 1979 PA 94 (MCL 388.1611) & adds secs. 12 & 147a.

(Rule suspended; discharged from the Committee on Appropriations.)

____ 30 _____

HB 4374 Rep. Marleau

Administrative procedure; rules; rescission of proposed credit scoring rules; provide for.

Amends 1956 PA 218 (MCL 500.100 - 500.8302) by adding sec. 2111a.

(Pursuant to Section 24.245a of the Michigan Compiled Laws, placed on calendar.)

31 —

HB 4206 Rep. Stakoe

Construction; other; standards and administrative process regarding conflict of interest; provide for inspectors in buildings trades.

Amends sec. 10 of 1986 PA 54 (MCL 338.2310).

(Reported by the Committee on Local Government and Urban Policy.)

(For proposed House substitute (H-3), see Session Website.)

HB 4207 Rep. Stakoe

Construction; other; licensee acting as inspector; clarify specific activities regarded as a conflict of interest.

Amends sec. 39 of 2002 PA 733 (MCL 338.3549).

(Reported by the Committee on Local Government and Urban Policy.)

____ 33 _____

HB 4208 Rep. Stakoe

Construction; other; licensee acting as inspector; clarify specific activities regarded as a conflict of interest.

Amends sec. 7a of 1956 PA 217 (MCL 338.887a).

(Reported by the Committee on Local Government and Urban Policy.)

HB 4209 Rep. Stakoe

Construction; other; licensee acting as inspector; clarify specific activities regarded as a conflict of interest.

Amends 1984 PA 192 (MCL 338.971 - 338.988) by adding sec. 13a.

(Reported by the Committee on Local Government and Urban Policy.)

___ 35 _____

HB 4235 Rep. Nitz

Transportation; other; requirement of 2% biodiesel to be included in fuel products; provide for.

Amends secs. 2, 3 & 5 of 1984 PA 44 (MCL 290.642 et seq.).

(Reported by the Committee on Agriculture.)

36

HB 4274 Rep. Vander Veen

Insurance; third party administrators; disclosure of certain claims history to certain persons; provide for.

Amends sec. 34 of 1984 PA 218 (MCL 550.934) & adds sec. 31.

(Reported by the Committee on Education.)

(For proposed House substitute (H-1), see Session Website.)

SECOND READING

____ 37 ____

SB 72 Sen. Birkholz

Education; students; pledge of allegiance; require to be offered in public schools.

Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 1304.

(Reported by the Committee on Education.)

(Read a second time; House substitute (H-1) and amendment adopted; amendments offered; passed for day June 30, 2005.)

(For House substitute (H-1), see Session Website.)

(For House amendments, see House Journal No. 62, page 1133 or Session Website.)

38

HB 4473 Rep. Ward

Housing; inspection; scope of application to include certain townships and timing of inspections to be modified; provide for.

Amends secs. 1 & 126 of 1917 PA 167 (MCL 125.401 & 125.526).

(Reported by the Committee on Local Government and Urban Policy.)

(For proposed House substitute (H-2), see Session Website.)

____ 39 _____

HB 4740 Rep. Nitz

Transportation; other; roadside memorial program; provide for.

Amends 2001 PA 142 (MCL 250.1001 - 250.2080) by adding sec. 76.

(Reported by the Committee on Transportation.)

(For proposed House substitute (H-3), see Session Website.)

HB 4522 Rep. Sheltrown

Weapons; licensing; requirement of firearm training before issuance of concealed weapon permit; exclude certain veterans.

Amends sec. 5j of 1927 PA 372 (MCL 28.425j).

(Reported by the Committee on Conservation, Forestry, and Outdoor Recreation.)

HB 5002 Rep. Alma Smith

Health facilities; hospitals; quality assurance assessment; extend sunset and increase hospital appropriation.

Amends sec. 20161 of 1978 PA 368 (MCL 333.20161).

(Reported by the Committee on Appropriations.)

HB 4514 Rep. Condino

Labor; hours and wages; employees who rely on tips; index wage to rate of inflation.

Amends 1964 PA 154 (MCL 408.381 - 408.398) by adding sec. 7b.

(Discharged from the Committee on Employment Relations, Training and Safety.)

SECOND READING — 43 ——— **HB** 4515 Rep. Meisner Labor; hours and wages; enforcement of minimum wage; prohibit retaliation for filing claim. Amends sec. 15 of 1964 PA 154 (MCL 408.395). (Discharged from the Committee on Employment Relations, Training and Safety.) **HB** 4517 Rep. Miller Labor; hours and wages; minimum wage; increase and index to rate of inflation. Amends sec. 4 of 1964 PA 154 (MCL 408.384). (Discharged from the Committee on Employment **Relations, Training and Safety.**) **HB** 4518 Rep. Gonzales Labor; hours and wages; minimum wage; increase. Amends sec. 4 of 1964 PA 154 (MCL 408.384). (Discharged from the Committee on Employment **Relations, Training and Safety.**) **HB** 4519 Rep. Gleason Labor; hours and wages; enforcement of minimum wage; increase fine for violations. Amends sec. 13 of 1964 PA 154 (MCL 408.393). (Discharged from the Committee on Employment Relations, Training and Safety.) **—** 47 **—** HB 4804 Rep. Cheeks Sales tax; collections; tax levy on sale of prepared food and beverage consumed on premises; provide for in a city with a population over 750,000. Creates new act. (Discharged from the Committee on Tax Policy.) 48 — HB 4808 Rep. Lemmons, III Income tax; city; nonresident tax for cities with population of 750,000 or more; allow to increase. Amends sec. 3, ch. 1 of 1964 PA 284 (MCL 141.503) & adds sec. 3e to ch. 1. (Discharged from the Committee on Tax Policy.) **HB** 5005 Rep. Huizenga State; funds; the 21st century jobs fund authority; create. Creates new act. (Reported by the Committee on Commerce.) (For proposed House substitute (H-1), see Session Website.) HB 4516 Rep. Cheeks Labor; hours and wages; minimum wage; increase for

Amends sec. 7a of 1964 PA 154 (MCL 408.387a).

Relations, Training and Safety.)

(Discharged from the Committee on Employment

SECOND READING

____ 51 ____

HB 4922 Rep. Sheen

Single business tax; credit; apprenticeship tax credit; increase, and increase amount of gross sales allowable for alternative calculation.

Amends secs. 38e & 68 of 1975 PA 228 (MCL 208.38e & 208.68).

(Reported by the Committee on Tax Policy.)

(For proposed House substitute (H-1), see Session Website.)

____ 52 _____

HB 5004 Rep. LaJoy

Counties; charter; distribution of renewed park millage revenue; clarify.

Amends 1965 PA 261 (MCL 46.351 - 46.367) by adding sec. 5a.

(Reported by the Committee on Local Government and Urban Policy.)

HB 4046 Rep. Lemmons, Jr.

Labor; hours and wages; minimum wage; increase.

Amends sec. 4 of 1964 PA 154 (MCL 408.384).

(Discharged from the Committee on Employment Relations, Training and Safety.)

HB 4501 Rep. Amos

Transportation; motor fuel tax; administrative fines, civil fines, and criminal fines; increase.

Amends secs. 4, 10a & 10b of 1984 PA 44 (MCL 290.644 et seq.).

(Reported by the Committee on Agriculture.)

HB 4502 Rep. Amos

Agriculture; weights and measures; administrative fines, civil fines, and criminal penalties; increase.

____ 55 ____

____ 56 ____

____ 57 _____

Amends sec. 31a of 1964 PA 283 (MCL 290.631a).

(Reported by the Committee on Agriculture.)

HB 4773 Rep. Byrum

Torts; product liability; immunity from liability for drugs that have been approved by federal food and drug administration; rescind.

Amends sec. 2946 of 1961 PA 236 (MCL 600.2946).

(Discharged from the Committee on Commerce.)

HB 4811 Rep. Drolet

Torts; liability; liability suits brought against drug manufacturers for drugs that have been approved by federal food and drug administration; allow.

Amends sec. 2946 of 1961 PA 236 (MCL 600.2946).

(Discharged from the Committee on Commerce.)

HB 5071 Rep. Donigan

Consumer protection; unfair trade practices; liability for inaccurate representations concerning risks of certain drugs, medications, and supplements; clarify.

Amends secs. 2 & 3 of 1976 PA 331 (MCL 445.902 & 445.903).

(Discharged from the Committee on Commerce.)

_____ 59 ____

HB 5139 Rep. McDowell

Civil procedure; statute of limitations; drug product liability cases previously prohibited because of FDA approval defense; allow to be commenced within 3 years of repeal of the defense.

Amends sec. 5805 of 1961 PA 236 (MCL 600.5805).

(Discharged from the Committee on Commerce.)

_____ 60 _____

SB 538 Sen. Brown

Environmental protection; funding; small business pollution prevention loans; make methane digesters and similar technologies eligible for.

Amends secs. 14501 & 14513 of 1994 PA 451 (MCL 324.14501 & 324.14513).

(Reported by the Committee on Agriculture.)

(For proposed House substitute (H-1), see Session Website.)

(For Senate substitute (S-1), see Session Website.)

____ 61 _____

HB 4796 Rep. McConico

Criminal procedure; preliminary examination; right to preliminary examination for certain crimes; eliminate.

Amends secs. 1 & 4, ch. VI of 1927 PA 175 (MCL 766.1 & 766.4).

(Reported by the Committee on Judiciary.)

(For proposed House substitute (H-3), see Session Website.)

_____ 62 _____

HB 4797 Rep. Elsenheimer

Criminal procedure; preliminary examination; right to preliminary examination for certain crimes; eliminate.

Amends sec. 1a, ch. IV of 1927 PA 175 (MCL 764.1a).

(Reported by the Committee on Judiciary.)

(For proposed House substitute (H-2), see Session Website.)

_____ 63 _____

HB 4799 Rep. Van Regenmorter

Criminal procedure; preliminary examination; right to preliminary examination for certain crimes; eliminate.

Amends secs. 40 & 42, ch. VII of 1927 PA 175 (MCL 767.40 & 767.42).

(Reported by the Committee on Judiciary.)

(For proposed House substitute (H-1), see Session Website.)

SECOND READING

----- 64 ------

HB 4800 Rep. Van Regenmorter

Criminal procedure; preliminary examination; right to preliminary examination for certain crimes; eliminate.

Amends sec. 8311 of 1961 PA 236 (MCL 600.8311).

(Reported by the Committee on Judiciary.)

(For proposed House substitute (H-1), see Session Website.)

SB 456 Sen. Sanborn 65

Liquor; retail sales; price reductions on liquor by SDD licensees; allow under certain circumstances.

Amends sec. 229 of 1998 PA 58 (MCL 436.1229).

(Reported by the Committee on Regulatory Reform.)

------ 66 ------

SB 461 Sen. Bishop

Local government; other; appointment procedure for emergency financial manager of a municipality; revise.

Amends sec. 18 of 1990 PA 72 (MCL 141.1218).

(Reported by the Committee on Local Government and Urban Policy.)

(For proposed House substitute (H-1), see Session Website.)

(For Senate substitute (S-1), see Session Website.)

HB 4262 Rep. Huizenga

Construction; code; issuance of certain permits to certain persons; clarify as to interior designers.

Amends sec. 2a of 1972 PA 230 (MCL 125.1502a) & adds sec. 10a.

(Reported by the Committee on Commerce.)

(For proposed House substitute (H-1), see Session Website.)

HB 4311 Rep. Meisner

Occupations; interior design; licensure of interior designers; provide for and clarify certain services provided.

Amends secs. 303a & 601 of 1980 PA 299 (MCL 339.303a & 339.601); adds art. 28 & repeals sec. 601a of 1980 PA 229 (MCL 339.601a).

(Reported by the Committee on Commerce.)

(For proposed House substitute (H-2), see Session Website.)

----- 69 --------

HB 4312 Rep. Meisner

Occupations; licensing fees; licensure of interior designers; provide for.

Amends 1979 PA 152 (MCL 338.2201 - 338.2277) by adding sec. 19.

(Reported by the Committee on Commerce.)

(For proposed House substitute (H-1), see Session Website.)

HB 4705 Rep. Marleau

State; employees and officers; insurance benefits for certain state employees; modify.

Creates new act.

(Reported by the Committee on Insurance.)

— 71 —

HB 4647 Rep. Moolenaar

Single business tax; credit; production tax credit for wind energy from wind turbines; provide for.

Amends 1975 PA 228 (MCL 208.1 - 208.145) by adding

(Reported by the Committee on Government **Operations.**)

HB 4648 Rep. Walker

Townships; ordinances; definition and regulation of wind energy systems; provide for.

Amends 1943 PA 184 (MCL 125.271 - 125.310) by add-

(Reported by the Committee on Government **Operations.**)

____ 73 _____

4649 Rep. Walker HB

Counties; ordinances; definition and regulation of wind energy systems; provide for.

Amends 1943 PA 183 (MCL 125.201 - 125.240) by adding sec. 16j.

(Reported by the Committee on Government **Operations.**)

HB 5325 Rep. Green

Health facilities; hospitals; inform and provide elderly persons with the influenza vaccine; require under certain circumstances.

Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding sec. 21529.

(Reported by the Committee on Senior Health, Security, and Retirement.) ____ 75 _____

4751 Rep. Ball HB

Human services; medical services; coverage for adult foster care facilities; provide.

Amends sec. 109 of 1939 PA 280 (MCL 400.109).

(Reported by the Committee on Family and Children Services.)

(For proposed House substitute (H-1), see Session Website.)

____ 76 _____

4756 Rep. Gaffney

Traffic control; driver license; first year drivers; prohibit from having more than 1 passenger other than family member in car.

Amends sec. 310e of 1949 PA 300 (MCL 257.310e).

(Reported by the Committee on Transportation.)

(For proposed House substitute (H-1), see Session Website.)

SECOND READING

— 77 ——

HB 4478 Rep. Stakoe

Property; conveyances; transfer of certain state owned property in Oakland county; provide for.

Creates land transfer act.

(Reported by the Committee on Regulatory Reform.) (For proposed House amendment, see House Journal No. 97, page 2124 or Session Website.)

HB 5243 Rep. Stewart

Property; conveyances; conveyance of certain state owned property in Wayne county; provide for.

Creates land transfer act.

(Reported by the Committee on Regulatory Reform.) (For proposed House substitute (H-1), see Session Website.)

SB 351 Sen. Hammerstrom

Occupations; health care professions; registration of acupuncturists; provide for.

Amends secs. 16131 & 16263 of 1978 PA 368 (MCL 333.16131 & 333.16263) & adds sec. 16322 & pt. 165.

(Reported by the Committee on Health Policy.)

(For proposed House substitute (H-1), see Session

(For Senate substitute (S-1), see Session Website.)

—— 80 ———

HB **5294** Rep. Hune

Land use; zoning and growth management; zoning ordinance violations for cities and villages; establish grace period and limit fines.

Amends sec. 7 of 1921 PA 207 (MCL 125.587).

(Reported by the Committee on Government **Operations.**)

(For proposed House substitute (H-1), see Session Website.)

5295 Rep. Hune HB

Land use; zoning and growth management; zoning ordinance violations for counties; establish grace period and limit fines.

Amends sec. 24 of 1943 PA 183 (MCL 125.224).

(Reported by the Committee on Government **Operations.**)

(For proposed House substitute (H-1), see Session Website.)

HB 5296 Rep. Hune

Land use; zoning and growth management; township zoning ordinance violations; establish grace period and limit fines.

Amends sec. 24 of 1943 PA 184 (MCL 125.294).

(Reported by the Committee on Government **Operations.**)

(For proposed House substitute (H-1), see Session Website.)

— 83 ——

HB 4074 Rep. Caswell

Retirement; public school employees; definition of eligible employees; expand to include administrators or faculty employed at a community college on a part-time basis.

Amends sec. 2 of 1967 PA 156 (MCL 38.382).

(Reported by the Committee on Higher Education and Career Preparation.)

— 84 ——

HB 5314 Rep. Wenke

Retirement; college employees; removal from school retirement system; provide for.

Amends secs. 6, 7, 22 & 41a of 1980 PA 300 (MCL 38.1306 et seq.).

(Reported by the Committee on Higher Education and Career Preparation.)

(For proposed House substitute (H-1), see Session Website.)

------ 85 ------

HB 5337 Rep. Jones

Military affairs; other; waiver from "administrative hearings" while deployed or serving on active duty; provide for. Amends sec. 117 of 1967 PA 150 (MCL 32.517).

(Reported by the Committee on Veterans Affairs and Homeland Security.)

(For proposed House substitute (H-2), see Session Website.)

HB 4278 Rep. Gosselin

Education; graduation requirements; community service as a condition of graduation; prohibit.

Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 1164.

(Reported by the Committee on Education.)

(For proposed House substitute (H-7), see Session Website.)

------ 87 ------

HB 4460 Rep. Van Regenmorter

Fire; safety drills in schools; require lockdown drills to be conducted.

Amends title & sec. 19 of 1941 PA 207 (MCL 29.19).

(Reported by the Committee on Education.)

(For proposed House substitute (H-2), see Session Website.)

SB 444 Sen. McManus

Crimes; other; prohibition on sale or possession of police badges; expand to include logos, service marks, patches, and uniforms of law enforcement agencies, and revise penalties.

Amends secs. 216 & 216a of 1931 PA 328 (MCL 750.216 & 750.216a).

(Reported by the Committee on Judiciary.)

(For proposed House substitute (H-1), see Session Website.)

(For Senate substitute (S-1), see Session Website.)

SECOND READING

— 89 ——

SB 634 Sen. Cassis

Single business tax; apportionment; sales factor; increase to 100%.

Amends sec. 45a of 1975 PA 228 (MCL 208.45a).

(Discharged from Committee on Tax Policy)

(For Senate substitute (S-2), see Session Website.)

——— 90 ———

SB 161 Sen. Allen

Natural resources; other; operation of snowmobiles; allow on rights-of-way of limited access highways.

Amends sec. 82119 of 1994 PA 451 (MCL 324.82119).

(Reported by the Committee on Transportation.) (For Senate substitute (S-2), see Session Website.)

— 91 —

HB 5418 Rep. Hune

Health; autopsies; provision regarding certain autopsies to be conducted in a timely manner to permit organs, tissues, and eyes to be used for transplants; designate as "Kyle Ray Horning's law".

Amends sec. 9 of 1953 PA 181 (MCL 52.209).

(Reported by the Committee on Health Policy.)

SB 88 Sen. Hardiman

Insurance; health maintenance organizations; enrollee out-of-pocket costs for copayments, coinsurance, and deductibles; permit and regulate.

Amends secs. 3515, 3519, 3523, 3529, 3533, 3569 & 3571 of 1956 PA 218 (MCL 500.3515 et seq.).

(Reported by the Committee on Health Policy.) (For Senate substitute (S-2), see Session Website.)

SB 380 Sen. George

Health; occupations; prescription requirement for physical therapy; expand to include individuals holding a subfield license.

Amends secs. 17820 & 17822 of 1978 PA 368 (MCL 333.17820 & 333.17822).

(Reported by the Committee on Health Policy.)

94

SB 341 Sen. Gilbert

Economic development; downtown development authorities; parking violations bureau; allow to be operated by a downtown development authority.

Amends sec. 8395 of 1961 PA 236 (MCL 600.8395).

(Reported by the Committee on Commerce.)

SB 599 Sen. George

Single business tax; credit; credits of \$200,000.00; require and amend application requirements.

Amends sec. 38g of 1975 PA 228 (MCL 208.38g).

(Reported by the Committee on Commerce.)

(For proposed House substitute (H-1), see Session Website.)

(For Senate substitute (S-1), see Session Website.)

— 96 ——

HB 5061 Rep. Green

Labor; hours and wages; disaster leave for state employees; provide for under certain circumstances.

Amends sec. 6 of 1976 PA 390 (MCL 30.406).

(Reported by the Committee on Employment Relations, Training, and Safety.)

(For proposed House substitute (H-2), see Session Website.)

----- 97 ------

HB 5364 Rep. Green

Property tax; payment and collection; penalties and interest on personal property; modify.

Amends secs. 53a & 53b of 1893 PA 206 (MCL 211.53a & 211.53b) & adds sec. 27e.

(Reported by the Committee on Tax Policy.)

(For proposed House substitute (H-2), see Session Website.)

98

HB 5374 Rep. Van Regenmorter

Courts; judges; number of judgeships in various circuits and districts; revise.

Amends secs. 507, 508, 517, 518, 542, 549a, 549g, 803, 8134 & 8135 of 1961 PA 236 (MCL 600.507 et seq.).

(Reported by the Committee on Judiciary.)

(For proposed House substitute (H-2), see Session Website.)

SB 448 Sen. Cropsey

Courts; judges; salary for judges; revise, establish concurrent jurisdiction for probate judge and district judge, and provide other amendments.

Amends secs. 226, 303d, 410, 810, 859, 871, 1105, 1701, 8322, 8344, 8507 & 8611 of 1961 PA 236 (MCL 600.226 et seq.); adds secs. 411 & 8808 & repeals secs. 557, 557a, 557b, 8555 & 9947 of 1961 PA 236 (MCL 600.557 et seq.).

(Reported by the Committee on Judiciary.)

(For proposed House substitute (H-2), see Session Website.)

(For Senate amendments, see House Journal No. 101, page 2184.)

____ 100 _____

HB 4121 Rep. Clack

Human services; services or financial assistance; work first program; repeal sunset.

Repeals sec. 14i of 1939 PA 280 (MCL 400.14i).

(Reported by the Committee on Family and Children Services.)

(For proposed House substitute (H-1), see Session Website.)

SB 778 Sen. Birkholz

Environmental protection; other; environmental indicator report; eliminate sunset.

Amends sec. 2521 of 1994 PA 451 (MCL 324.2521).

(Reported by the Committee on Natural Resources, Great Lakes, Land Use, and Environment.)

SECOND READING

____ 102 _____

HB 5144 Rep. Ball

Natural resources; hunting; commemorative bucks of Michigan, inc.; designate as the official record keeper of Michigan big game records.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 40120.

(Reported by the Committee on Conservation, Forestry, and Outdoor Recreation.)

(For proposed House substitute (H-1), see Session Website.)

_____ 103 _____

SB 783 Sen. Bishop

Environmental protection; solid waste; out-of-state waste regulatory program; establish.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding secs. 11526d, 11526e, 11526f, 11526g & 11526h.

(Rule suspended; placed directly on calendar.) (For Senate substitute (S-2), see Session Website.)

_____ 104 ______

SB 829 Sen. Allen

Highways; bridges; transfer of authority to department of transportation for Mackinac bridge; repeal.

Repeals sec. 9 of 1966 PA 13 (MCL 254.369).

(Reported by the Committee on Transportation.) (For Senate substitute (S-1), see Session Website.)

_____ 105 _____

SB 830 Sen. Allen

Highways; bridges; authority for operation of Mackinac bridge; clarify.

Amends 1965 PA 380 (MCL 16.101 - 16.608) by adding sec. 359 & repeals sec. 357 of 1965 PA 380 (MCL 16.457).

(Reported by the Committee on Transportation.) (For Senate substitute (S-1), see Session Website.)

HB 4982 Rep. Baxter

Single business tax; credit; personal property tax credit; create.

Amends 1975 PA 228 (MCL 208.1 - 208.145) by adding sec. 35d.

(Reported by the Committee on Tax Policy.)

(For proposed House substitute (H-3), see Session Website.)

_____ 107 _____

HB 5459 Rep. Moore

Single business tax; credit; personal 1-year personal property tax credit; provide for.

Amends 1975 PA 228 (MCL 208.1 - 208.145) by adding sec. 35j.

(Reported by the Committee on Tax Policy.)

(For proposed House substitute (H-1), see Session Website.)

—— 108 ———

HB 5460 Rep. Steil

Single business tax; credit; percentage of property taxes paid on industrial personal property; provide for credit.

Amends 1975 PA 228 (MCL 208.1 - 208.145) by adding sec. 35h.

(Reported by the Committee on Tax Policy.)

(For proposed House substitute (H-2), see Session Website.)

HB 5461 Rep. Farhat

Single business tax; credit; personal property tax credit; provide for industrial personal property.

Amends 1975 PA 228 (MCL 208.1 - 208.145) by adding sec. 35g.

(Reported by the Committee on Tax Policy.)

(For proposed House substitute (H-2), see Session Website.)

_____ 110 _____

HB 5471 Rep. Hildenbrand

Economic development; other; economic opportunity zone in brownfield redevelopment financing act; create.

Amends sec. 2 of 1996 PA 381 (MCL 125.2652).

(Reported by the Committee on Commerce.)

(For proposed House substitute (H-1), see Session Website.)

— 111 ———

HB 4893 Rep. Gaffney

Occupations; athletics; licensure of athletic trainers; provide for.

Amends sec. 16263 of 1978 PA 368 (MCL 333.16263) & adds sec. 16336 & pt. 179.

(Reported by the Committee on Health Policy.)

(For proposed House substitute (H-2), see Session Website.)

HB 5239 Rep. Hune

Occupations; health care professions; certified nurse practitioners to determine disability under Michigan employment security act; allow.

Amends sec. 28a of 1936 (Ex Sess) PA 1 (MCL 421 28a)

(Reported by the Committee on Health Policy.)

(For proposed House substitute (H-1), see Session Website.)

MESSAGES FROM THE GOVERNOR

_____ 113 _____

HB 4275 Rep. Vander Veen

Elections; canvassing; state board of canvassers procedures; clarify.

Amends sec. 477 of 1954 PA 116 (MCL 168.477).

(Reported by the Committee on House Oversight, Elections, and Ethics.)

(Vetoed by Governor on July 21, 2005; passed for day August 31, 2005.)

(For veto message, see House Journal No. 71, page 1275.)

MESSAGES FROM THE GOVERNOR

HB 4831 Rep. Hummel

Appropriations; other; omnibus budget appropriations bill; provide for fiscal years 2005 and 2006.

Creates appropriation act.

(Reported by the Committee on Appropriations.)

(Line item(s) vetoed by Governor on September 30, 2005; passed for day October 5, 2005.)

(For line item veto message, see House Journal No. 84, page 1851.)

— 115 ———

HB 4887 Rep. Moolenaar

Appropriations; school aid; state school aid appropriations; provide for fiscal year 2005-2006.

Amends secs. 3, 4, 6, 11, 11a, 11f, 11g, 11j, 15, 18, 19, 20, 20j, 22a, 22b, 22d, 24, 25, 26a, 31a, 31d, 32c, 32d, 32j, 37, 39, 39a, 41, 41a, 51a, 51c, 51d, 53a, 54, 56, 57, 61a, 62, 74, 81, 94a, 98, 98b, 99, 101, 105, 105c, 107, 147, 158b, 164c & 167 of 1979 PA 94 (MCL 388.1603 et seq.); adds secs. 11k, 26b, 31b, 31f, 32l, 33, 54a & 99b & repeals 11b, 32f & 107b of 1979 PA 94 (MCL 388.1611b et seq.).

(Reported by the Committee on Appropriations.)

(Line item(s) vetoed by Governor on September 30, 2005; passed for day October 5, 2005.)

(For line item veto message, see House Journal No. 84, page 1852.)

HB 5047 Rep. Huizenga

Economic development; other; jobs for Michigan fund; create and fund the commercialization of competitive edge technologies.

Amends title & secs. 3, 4 & 13 of 1984 PA 270 (MCL 125.2003 et seq.) & adds secs. 94 & 95 & ch. 8A.

(Reported by the Committee on Commerce.)

(Line item(s) vetoed by Governor on November 21, 2005; passed for day November 29, 2005.)

(For line item veto message, see House Journal No. 102, page 2263.)

____ 117 _____

HB 5096 Rep. Sheen

Taxation; other; specific tax on commercial rental property; create.

Creates new act.

(Reported by the Committee on Tax Policy.)

(Vetoed by Governor on November 21, 2005; passed for day November 29, 2005.)

(For veto message, see House Journal No. 102, page 2262.)

— 118 ———

HB 5107 Rep. Condino

Use tax; exemptions; certain exemptions; eliminate.

Amends secs. 3a, 4 & 4u of 1937 PA 94 (MCL 205.93a et seq.).

(Reported by the Committee on Tax Policy.)

(Vetoed by Governor on November 21, 2005; passed for day November 29, 2005.)

(For veto message, see House Journal No. 102, page 2262.)

NOTICES

Notice of intent given on Tuesday, December 6 to discharge **House Bill No. 5436** from the Committee on Appropriations on the next legislative day by Rep. Hummel.

Notice of intent given on Tuesday, December 6 to discharge **House Bill No. 5452** from the Committee on Appropriations on the next legislative day by Rep. Hummel.

STANDING COMMITTEE MEETINGS

(For an updated listing of committee meetings, go to http:\\www.michiganlegislature.org and click on Committee Meetings.)

STATUTORY COMMITTEE MEETING

Legislative Retirement Board of Trustees - Wednesday, December 7, 3:00 p.m., Room 252, Capitol Building

BILLS IN CONFERENCE					
		Conferees		Report Agreed to	
Bill No.	Brief Title	House	Senate	House	Senate
HB 4315	Counties; boards and commissions;	LaJoy	Gilbert		
	county road commission; provide	Hoogendyk	Kuipers		
	option to expand membership or eliminate.	Anderson	Basham		